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# Americans Behind Bars:
# A Comparison of International Rates of Incarceration

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# AMERICANS BEHIND BARS:

# A COMPARISON OF INTERNATIONAL RATES OF INCARCERATION

## OVERVIEW

In 1979, a criminal justice report was released which has been often cited for its striking conclusions. That report, "International Rates of Imprisonment," issued by the National Council on Crime and Delinquency (NCCD), documented that the United States' rate of incarceration was third in the industrialized world -- behind only South Africa and the Soviet Union.1/ Despite a considerable amount of attention to the report in the criminal justice community, there was little policymaker response to its findings.

This report provides a new look at some of the issues raised in the NCCD report. We do this for two reasons. First, the NCCD report, useful as it was, was hampered by the unavailability of complete data in some areas. Most significantly, the prison population for the Soviet Union was estimated to be one million at the time, by all measures just a rough approximation. Due to the greater openness in the Soviet Union, we now have far more accurate figures on the number of its prisoners. In this report, we also extend the analysis of the number of prisoners in South Africa beyond what most sources have generally described.

The second reason for this updated analysis of international rates of incarceration is that much has changed in the world since 1981. Of particular interest here is that the criminal justice policies of these three nations have taken very different directions, with significant consequences for rates of imprisonment.

After examining overall rates of incarceration, we then look at a subset of the population in the United States and South Africa -- Black males. As we noted in our earlier report, "Young Black Men and the Criminal Justice System: A Growing National Problem," nearly one in four Black men in the age group 20-29 is under the control of the criminal justice system -- in prison or jail, on probation or parole.2/ In order to understand the situation of Black males more fully, we developed this international comparison to provide another context for examining this issue. As will be seen, the results in both parts of this report indicate the serious nature of criminal justice problems in the United States.

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1 Eugene Doleschal and Anne Newton, "International Rates of Imprisonment," National Council on Crime and Delinquency, Information Center, 1979.

2 Marc Mauer, "Young Black Men and the Criminal Justice System: A Growing National Problem," The Sentencing Project, February 1990.

## MAJOR FINDINGS: RATES OF INCARCERATION

Comparing international rates of incarceration is problematic. Crime rates, and rates of violent crime in particular, vary greatly from one country to another. Criminal justice systems are also unique to each country, and methods of punishment and control vary from one society to another. In most areas of the United States, for instance, we maintain a system of jails, for persons awaiting trial and serving short sentences, and a prison system which is generally used for offenders serving sentences of a year or more. In most other nations, there is only a single prison system, both for convicted and unconvicted persons. Most societies make use of mental institutions to some extent for persons convicted of crimes, although these persons may or may not be counted as "prisoners" in official prison counts. And, in apartheid South Africa, restrictions on civil liberties and personal freedom for the country's Black population are ever present, whether in prison or not.

Bearing this caution in mind, though, we think it useful to analyze these international data. Although the crime rates and criminal justice policies creating each country's prison population are different, the comparison can help to place in perspective our nation's approach to issues of crime and punishment. While the three nations under study have vastly different political and economic systems, this report demonstrates that the extent of criminal justice control in a society cannot necessarily be predicted by the degree to which that society is dedicated to democracy and human rights.

Our analysis examines the number of incarcerated adults in each country, both those awaiting trial and sentenced offenders, and then divides this figure by the country's population to obtain an overall rate of incarceration. For the United States, we have used the combined figures for prison and jail populations (excluding the small number of juveniles held in jails and a small "overlap" in the prison and jail counts; see Methodology) to obtain an overall number of inmates. The number of prisoners in the Soviet Union is taken from recent published reports, which are consistent with other observations over the past several years.3/

Previous reports documenting the number of prisoners in South Africa have been consistent, but have only included the number of persons held in South Africa proper.4/ This figure excludes the number of prisoners held in the four

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3 Many studies of international rates of incarceration look at sentenced prisoners only, and not those inmates awaiting trial or incarcerated in a local jail. We include both jail and prison inmates in this study because we have no breakdown on the pretrial vs. sentenced population in the Soviet Union.

4 See, for example, Compendium of Social Statistics and Indicators 1988, United Nations, 1991, and Doleschal and Newton, "International Rates of Imprisonment."

"independent" homelands of South Africa -- Bophuthatswana, Ciskei, Transkei, and Venda. These homelands, though, are recognized by no nation outside South Africa, and have been clearly shown to be appendages of the South African government. Therefore, an accurate portrayal of the incarcerated population in South Africa needs to include this population. Although information on prison systems in the homelands is difficult to obtain, we have used the available information to project an estimate of these figures.

The major findings of our study, as seen in Tables 1-3, are as follows:

* **The United States now has the world's highest known rate of incarceration, with 426 prisoners per 100,000 population. South Africa is second in the world with a rate of 333 per 100,000, and the Soviet Union third with 268 per 100,000 population.** (Table 1).

* **Black males in the United states are incarcerated at a rate four times that of Black males in South Africa, 3,109 per 100,000, compared to 729 per 100,000.** (Table 2).

* **The total cost of incarcerating the more than one million Americans in prisons and jails is now $16 billion a year. The cost of incarcerating the estimated 454,724 Black male inmates is almost $7 billion a year.** 5/

* **Although this study only examines three countries in detail, it is clear from other reports that no other nation for which incarceration rates are known even approaches these levels. Rates of incarceration for western Europe are generally in the range of 35-120 per 100,000, and for most countries in Asia, in the range of 21-140 per 100,000.** 6/ (Table 3).

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5 Overall costs of incarceration are taken from "Justice Expenditure and Employment, 1988," Bureau of Justice Statistics, July 1990. To calculate the cost of Black male incarceration, we have used 43 percent of the total figure, representing the Black male proportion of the overall institutional population.

6 See Newsletter of Penal Reform International, No. 1, February 1990 and No. 2, April 1990, London. It is possible, of course, that rates of incarceration in some Third World countries may be higher, but there are few published reports discussing this. One source examines 1974 incarceration rates for 48 countries, including many in Asia, Africa, and South America, and finds all well below the rate for the United States. See Calvert R. Dodge, A World Without Prisons, Lexington Books, 1979, p. 258.

## TABLE 1

### International Rates Of Incarceration

| Nation | Population | Inmate Population | Rate of Incarceration per 100,000 |
|---|---|---|---|
| United States | 248,251,000 | 1,057,875 | 426 |
| South Africa | 35,978,284 | 119,682 | 333 |
| Soviet Union | 287,015,000 | 769,000 | 268 |

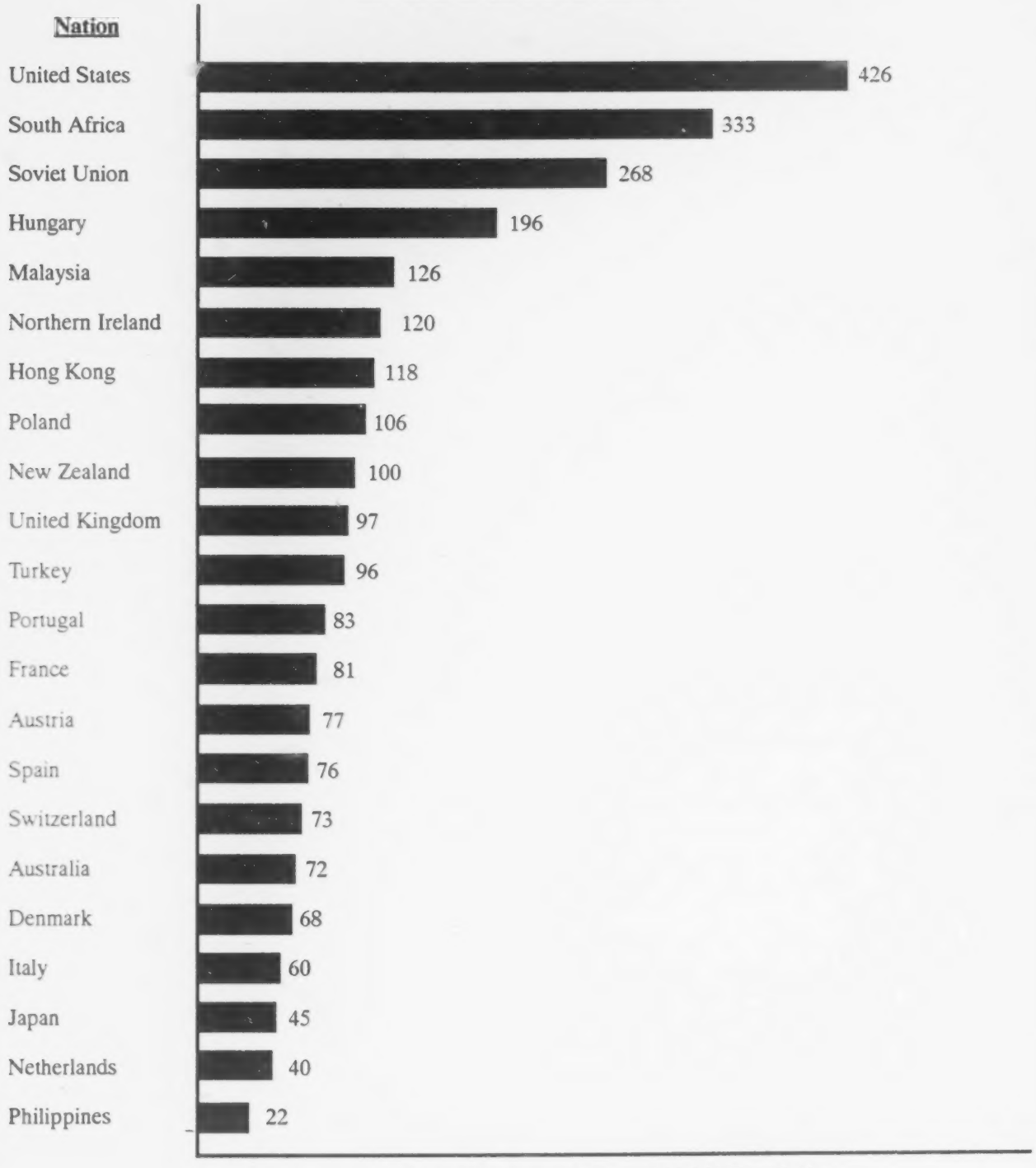
## TABLE 2

### Black Male Rates Of Incarceration

| Nation | Black Male Population | Black Male Inmates | Rate of Incarceration per 100,000 |
|---|---|---|---|
| United States | 14,625,000 | 454,724 | 3,109 |
| South Africa | 15,050,642 | 109,739 | 729 |

**TABLE 3**

**Incarceration rates for the United States, South Africa, and the Soviet Union in comparison to Europe and Asia**




Source: Penal Reform International, using data from the Council of Europe and the Australian Institute of Criminology.

## THE UNITED STATES AS NUMBER ONE: CAUSES AND CONSEQUENCES

Again recognizing that international comparisons are difficult, we can discern general trends of the past decade in these three nations which have placed the United States in the unenviable position of world leadership in incarceration.

The South African prison population has remained the most stable of these three countries over the past decade, rising only about 11 percent during this period, from an average daily population of 100,677 in 1979-80 to 111,557 in 1988-89 (excluding the four homelands).7/ We do not have sufficient information available to determine the causes of this relatively modest increase.

In the Soviet Union, the prison population has declined dramatically during the past decade. Estimates of the prison population ten years ago range from one million in the NCCD report to 1.6 million. 8/ The drop in the incarcerated population is generally considered to be a result of the changing political climate in the Soviet Union, leading to the release of many political prisoners, and amnesties for many minor offenders.9/ (Similar trends have been examined in other parts of Eastern Europe, with one report describing a 50 percent decline in Poland's prison population in three years.)10/

In sharp contrast, the incarcerated population in the United States has more than doubled in the past decade, rising from just over 500,000 in 1980 to more than one million today. On top of this dramatic increase, the rate of increase for African-American males has been even greater than for the population as a whole.

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7 Here, we use the average daily population in South Africa because of the availability of data, while we have used a single day count in calculating the rate of incarceration, in order to be consistent with the method used for the United States and the Soviet Union. We also exclude the four homelands in this section because we have no data available to measure the fluctuation of the prison population there over time.

8 D. J. Peterson, "The Zone, 1989: The Soviet Penal System under Perestroika," in Report on the USSR, Vol. 1, No. 37, 1989.

9 Recent reports suggest that crime rates are increasing in the Soviet Union, although it is too soon to know whether this will have an impact on the prison population. See, for example, Celestine Bohlen, "Some Soviet Items Aren't Scarce: Crime, Strikes, Fighting, Pollution," The New York Times, August 18, 1990.

10 Tom Wicker, "An Ungrand Total," The New York Times, October 13, 1989.

Why has the incarcerated population of the United States risen so dramatically, and is now the highest in the world? Following, we explore two possible causes -- crime rates and criminal justice policies.

Crime Rates

International comparisons of crime rates are problematic due to variations in reporting methods and the definition of offenses. Nevertheless, it is clear that in comparison to western Europe, for example, American rates of crime for many offenses are substantially higher. American murder rates are at least seven times as high as for most Europeans. There are six times as many robberies and three times as many rapes as in West Germany (prior to reunification).11/ Alfred Blumstein has demonstrated that much of the disparity in international incarceration rates may be explained by higher crime rates for serious offenses.12/ While a full analysis of this relationship is beyond the scope of this study, it appears that at least some of the disparity in incarceration among nations can be explained by crime rates, particularly for assaultive offenses likely to lead to imprisonment. If this is the case, then its implications are extremely disturbing, for it implies that the wealthiest society in the world has failed to provide a relatively safe society; instead, it has an appallingly high level of crime.

Criminal Justice Policies

While there is little question that the United States has a high rate of crime, there is much evidence that the increase in the number of people behind bars in recent years is a consequence of harsher criminal justice policies of the past decade, rather than a direct consequence of rising crime. Many criminal justice observers now believe that prison populations are very much a function of policy choices.

Looking at the Soviet Union, for example, we have seen how a decision by a reform government to release many political prisoners has resulted in virtually halving the incarcerated population. Although few American prisoners could be considered "political," thousands are in prison due to policy choices -- as a result of mandatory minimum sentences, restrictive parole policies, sentencing guidelines, and other policies. While we could debate the wisdom of these policies, the point is that, to a certain extent, the size of the prison population is a reflection of conscious political choices.

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11 Elliott Currie, Confronting Crime, Random House, New York, 1985, p. 5.

12 Alfred Blumstein, "Prison Populations: A System Out of Control?," in Crime and Justice: A Review of Research, edited by Michael Tonry and Norval Morris, Volume 10, University of Chicago Press, 1988. See also "Imprisonment in Four Countries," Bureau of Justice Statistics, February 1987 for a similar analysis.

The growth of prison populations in the past decade, for example, shows that incarceration rates do not rise or fall directly with crime rates. Although the crime rate has dropped by 3.5 percent since 1980, the prison population has doubled in that period. Breaking down these figures further, we see first that crime dropped by 15 percent from 1980 to 1984, while the number of prisoners increased by 41 percent; then, from 1984-1989 crime rates climbed by 14 percent, while the number of prisoners rose by 52 percent. 13/ Any cause and effect relationship is difficult to discern.

During this same period, we have seen a number of criminal justice policy changes which have resulted in a more punitive system overall. Mandatory sentencing laws requiring incarceration for certain offenses are now in place in 46 states. At the federal level, the combined impact of the new sentencing guidelines and harsher drug laws is expected to result in a 119 percent increase in the federal prison population from 1987 to 1997. 14/

There is also a greater proportion of offenders being sentenced to prison than ten years ago. In 1980, there were 196 offenders sentenced to prison for every 1,000 arrests for serious crimes. That figure increased by 54 percent to 301 per 1,000 by 1987. 15/

In this report, we do not attempt to analyze the relative weight that should be given to crime rates or criminal justice policies in causing such a high rate of incarceration. Other researchers have conducted analyses of these issues, and further work needs to be done. It is our assumption here that both factors play a role: that the United States does have a substantially higher rate of serious crime than many nations, and that criminal justice policies have contributed to the increase in incarceration in the past decade.

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13 Federal Bureau of Investigation, Crime in the United States, Uniform Crime Reports 1989, August 1990, and Bureau of Justice Statistics, "Prisoners in 1989," May 1990.

14 The United States Sentencing Commission, Supplementary Report on the Initial Sentencing Guidelines and Policy Statements, June 18, 1987, p. 71.

15 Sarah Glazer, "Crime and Punishment: A Tenuous Link," Editorial Research Reports, October 20, 1989.

## AFRICAN-AMERICAN MALES: AN ENDANGERED SPECIES?

The equally shocking conclusion of this report is that African-American males in the U.S. are locked up at a rate four times greater than their counterparts in South Africa. We and others have attempted to analyze the reasons why Black males have higher rates of crime for certain offenses, and why there are a vastly disproportionate number of Black males behind bars. The reasons are complex, but include factors relating to the root causes of crime as well as the response of the criminal justice system. African-American males, who are disproportionately low-income, face a variety of problems, including: the social and economic decline of our inner cities and diminished opportunities for young people; the continuing failure of our schools, health care systems, and other institutional supports to prepare young Black males to occupy legitimate roles in society; continuing poverty and a distribution of wealth which has resulted in even greater disparity between the rich and the poor over the past twenty years.

The comparison with South Africa should not be misconstrued to indicate support for the South African apartheid system or its criminal justice policies, or to imply that the criminal justice system in the United States should emulate the South African system. Despite changes in the South African political climate in recent years, the system of apartheid remains strong and freedom remains an elusive goal for the Black population. We make the comparison with South Africa only to provide a point of reference for the cumulative effect of American policies regarding Black males.

### The "War on Drugs"

Particular note needs to be made regarding the "war on drugs," probably the largest single factor behind the rise in prison populations during the past decade. While drug arrests and prosecutions have increased each year since 1980, the number of African-Americans arrested for drug offenses has increased at an even more rapid rate than has the arrest rate for the population as a whole. From 1984 to 1988, the Black community's percentage of all drug arrests nationally increased from 30 percent to 38 percent. 16/ In Michigan, drug arrests overall have doubled since 1985, while drug arrests of Blacks have tripled.17/ With a "war on drugs" primarily waged through the criminal justice system and disproportionately targeting inner-city drug users, the end result is an increasing number of prisoners and an ever larger share of Black male inmates.

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16 Sam Meddis, "Drug arrest rate is higher for blacks," USA Today, December 20, 1989.

17 E.J. Mitchell II, "Cops burst in, you feel violated." Detroit News, April 26, 1990.

## IMPLICATIONS FOR PUBLIC POLICY

Ten years ago, state and national policymakers were faced with these circumstances:

* With a combined prison and jail population of 500,000, the United States stood third in the world in its rate of incarceration, behind two highly repressive governments. The country had already experienced a significant increase in its incarcerated population since 1973, with the number of prisoners rising by well over 50 percent from 1973 to 1980. Promising alternatives to incarceration -- programs of community corrections, restitution to victims, community service, victim-offender mediation programs and many others -- had been developed and were being implemented in many states. Further, there was little optimism in the corrections community that the high rate of recidivism of released prisoners would substantially diminish.

* Communities were in a state of decline, particularly our urban areas. The steady decline of our manufacturing base had eliminated many relatively stable and high-wage employment opportunities, replaced in many cases by low-wage service jobs. Schools in many urban areas experienced dropout rates of 40 percent or more, waiting lists for low-income housing were years long, and over 30 million Americans were without health insurance.

The choice for policymakers in responding to our high national crime rate, therefore, was very stark. The first option was to continue to build new prisons and jails at a cost of $50,000 a cell or more, and to spend $20,000 a year to house each prisoner. The second option was to spend these same tax dollars on prevention policies and services -- programs designed to generate employment and to provide quality education, health care, and housing, along with alternatives to incarceration rather than new prison cells.

The choice was not described as clearly as this, of course, but those were essentially the two options faced by policymakers. Overwhelmingly, the punitive policies of the first option were the ones selected at both a national and local level. In the area of criminal justice, one would be hard pressed to determine whether Democrats or Republicans were more zealous in their pursuit of repressive criminal justice measures. The conservative Republican governor of California and the liberal Democratic governor of New York both proudly boasted of their accomplishments in adding tens of thousands of new prison cells to their state systems.

Unfortunately, the decision-making process in criminal justice is particularly prone to the influence of political rhetoric. It is no accident that, for several sessions now, a major crime bill has been adopted by Congress every two years prior to the November election. As the "Willie Horton" issue showed too well in the last presidential campaign, public policy on issues of crime and justice is far too often driven by the atypical, sensational "crime of the month," rather than by a rational examination of options.

Had the punitive policies of the past decade resulted in dramatically reduced crime rates, one could argue that their great expense was partially justified by the results. But as the 1990s begin, we are faced with the same problems as in 1980, only greater in degree -- overcrowded prisons, high rates of crime, a major national drug problem, and the public lack of confidence in the criminal justice system. In many respects, it is not surprising that harsher criminal justice policies have had little impact on crime. Criminologists have long contended that if the criminal justice system can have an effect on crime, it is much more likely to result from increasing the certainty of arrest, and not the severity of punishment.

If we continue to pursue the policies of the 1980s in the 1990s, we can expect that Black males may truly become the "endangered species" that many have predicted. No segment of society, however, remains free from the cost of the punitive policies of the 1980s. The nation's record rate of incarceration continues to increase at an unprecedented scale. The National Council on Crime and Delinquency projects that our prison population alone, exclusive of jail inmates, will rise by 68 percent from 703,000 in 1989 to 1,133,000 in 1994. 18/

We now have the opportunity, and the obligation, to review our policy options in regard to crime and punishment, and to examine carefully the impact of the lessons of the past decade. In the section following, we suggest a new direction for responding to crime and achieving justice.

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18 James Austin and Aaron David McVey, "The Impact of the War on Drugs," National Council on Crime and Delinquency, San Francisco, December 1989.

## RECOMMENDATIONS FOR PUBLIC POLICY

1. Establish a national commission to examine the high rate of incarceration of Americans, and African-American males in particular.

Congress should establish a national commission on crime, composed of a broad spectrum of representatives, to conduct a comprehensive examination of crime rates and incarceration rates. The commission should be directed to develop a set of recommendations to reduce the rates of crime and incarceration. Those recommendations should include programs and policies within the criminal justice system, as well as preventive measures for the family, community, and workplace.

2. General Accounting Office study of the social and economic factors related to crime.

Crime has many causes, some individually-based, others related to social and economic conditions and opportunities. The General Accounting Office should review research in this area to determine the relative influence of a range of social and economic factors on crime. These factors should include unemployment, welfare benefits, school dropout rates, pre-school programs, and access to health care and housing. A greater understanding of the root causes of crime will provide policymakers and the public with information that can guide budget and program priority decisions.

3. Justice Department funding of pilot programs to reduce the high rate of incarceration of African-American males.

While criminal justice agencies are relatively limited in the impact they can have on crime, they can develop and implement policies to alter the number of offenders and type of control under which they are placed. The Justice Department should encourage the development of programs and sanctions designed specifically to reduce the disproportionate incarceration rate of African-American males. In the area of juvenile justice, the Department is currently providing funding for "programs designed to reduce the proportion of juveniles detained or confined ... who are members of ethnic and minority groups where such proportion exceeds the proportion such groups represent in the general population." 19/ Programs for African-American males could include diversion from prosecution, intensive probation, alternative sentencing, and parole release planning, among others. Priority should be placed on programs which have the potential to be replicated in other jurisdictions.

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19 Federal Register, Vol. 55, No. 229, pp. 49484-49485.

4. Redirect the "war on drugs" to define drug abuse as a public health problem and not a criminal justice problem.

In the past decade, drug abuse has taken a great toll in human lives and potential among all sectors of our society. The direction of the "war on drugs," though, has served to increase dramatically the number of Americans in prison and, in particular, the number of non-white, low-income males. There is little evidence to show that the law enforcement approach to the drug problem has had a substantial impact on drug abuse or drug-related crime. While waiting lists for treatment programs remain at six months or more in many communities, the number of drug arrests and prosecutions continues to rise as 70 percent of federal anti-drug funding is directed toward law enforcement. Defining drug abuse as a public health problem would require a shift in funding and program priorities to a system focused on education, prevention, and treatment rather than incarceration.

5. Redirect the focus of law enforcement to address community needs and to prevent crime.

Police forces are inherently limited in their ability to control crime since they can generally only respond to crime once it has occurred. Of 34 million serious crimes committed each year, 31 million never result in arrest.20/ Even if we assume that a good number of offenders had committed multiple crimes which were not detected, we can still recognize the limited impact that law enforcement can have. Efforts are being made in some police departments to refocus law enforcement priorities. In New York, St. Louis, and other cities, community-oriented policing is being implemented. This approach emphasizes improving police-community relations and a pro-active approach to policing in order to address problems before they escalate and to be able to respond to crime more effectively. The police chief in New Haven, Connecticut has adopted a policy of discontinuing mass drug arrests and now uses his officers to go door-to-door in certain communities to encourage drug abusers to enter city-sponsored treatment programs.

6. Reduce the recidivism rate of prisoners by providing effective services.

The most recent Justice Department study of recidivism shows that 62 percent of state prisoners are rearrested within three years of release from prison. With prisons seriously overcrowded and state budgets constrained across the country, inmates in most prison systems have fewer opportunities to gain an education or marketable skills than they did a decade ago. Further, more than half of all

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20 Criminal Justice Section, American Bar Association, Criminal Justice in Crisis, November 1988, p. 4.

prisoners with a drug history are not enrolled in drug treatment programs.21/ For those offenders who are sentenced to prison, it is in society's interest to attempt to reduce recidivism by providing a broad range of counseling, educational and vocational services appropriate to prisoners' needs.

7. Repeal mandatory sentencing laws.

Mandatory sentencing laws for drug crimes and other offenses have exacerbated prison overcrowding, while denying the possibility of judicial discretion in appropriate cases. In Michigan, for example, a 50-year old grandmother with no criminal record is serving life without parole -- the same penalty as for first degree murder -- for the offense of possession of more than 650 grams of cocaine. In the federal system, mandatory sentences thwart the purposes of a sentencing guidelines system designed to introduce a rational basis for sentencing. In calling for the repeal of mandatory sentences, the Federal Courts Study Committee charged that they "create penalties so distorted as to hamper federal criminal adjudication." 2/ In jurisdictions without mandatory sentencing, judges are not hindered from sentencing drug offenders to incarceration when they feel it appropriate, but can also use their discretion to sentence offenders to non-incarcerative sanctions. Mandatory sentences should be repealed because they do not permit judges to exercise that discretion in the interest of justice.

8. Expand the use of alternatives to incarceration.

Incarceration is the most expensive sanction in the criminal justice system and brings very limited results in terms of public safety or rehabilitation of offenders. A range of alternatives to incarceration now exist which have the potential to reduce the number of offenders sentenced to prison. A study by the RAND Corporation examined the eligibility criteria of alternative sentencing, or intermediate sanctions, programs and then made projections on the number of "prison-bound" offenders who could qualify for such programs. Even if those offenders convicted of murder or rape, or with a prior prison term were excluded, 33 percent of potential inmates still qualified for the alternative programs.23/

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21 Marcia R. Chaiken, "Prison Programs for Drug-involved Offenders," National Institute of Justice, October 1989.

22 Federal Courts Study Committee, Report of the Federal Courts Study Committee, April 2, 1990, p. 134.

23 Joan Petersilia and Susan Turner, "Reducing Prison Admissions: The Potential of Intermediate Sanctions," State Government, March/April 1989.

Diverting appropriate offenders from the prison system can result in substantial cost savings as well. A study in Delaware calculated the following annual costs of various sanctions:

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|---|---|
| Prison | - $17,761 |
| Work Release | - 11,556 |
| House Arrest | - 3,332 |
| Intensive Supervision | - 2,292 |
| Regular Probation | - 569 |

The study further found that for every drug offender sentenced to prison, three offenders could be treated in an inpatient treatment program and sixteen in an outpatient program.24/

9. Engage in a national dialogue on issues of crime and punishment.

For more than two decades, inspired by politicized rhetoric, our national response to crime has been to demand harsher and harsher punishment, and to equate punishment with incarceration. This approach has taken a great toll in human lives, at a huge cost to taxpayers. In spite of the record number of prisoners resulting from these policies, we are still left with high rates of crime and an epidemic of drug abuse.

The American public is more open to engaging in a broad discussion of crime and punishment issues than is commonly believed by policymakers.25/ Day-to-day experience with alternative sentencing programs and comprehensive public opinion surveys demonstrate that Americans understand and support more frequent use of non-incarcerating sanctions and programs that address rehabilitation and the causes of crime.26/ It is time now for America's civic, business and political leaders to invite the American people to engage in a rational and constructive discussion of crime, punishment, and justice issues.

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24 Kay Pranis, "Options in Criminal Corrections: A Study of Costs and Opportunities in Delaware," Minnesota Citizens Council on Crime and Justice, 1989.

25 Stephen D. Gottfredson and Ralph B. Taylor, "Public Policy and Prison Populations: Measuring Opinions About Reform," Judicature, Vol. 68, Nos. 4-5, Oct.-Nov. 1984.

26 John Doble and Josh Klein, Punishing Criminals: The Public's View, Public Agenda Foundation, 1989.

## CONCLUSION

"If you can't do the time, don't do the crime."

-- Prisoner saying

More and more Americans, and African-American males in particular, are "doing the time." Unfortunately, this hasn't led them or others to stop "doing the crime." Incarceration rates set new records each day, while crime rates remain intolerably high. Clearly, large-scale imprisonment provides no panacea for crime.

As we have discussed, two possible areas of explanation for our high rate of incarceration are crime rates and criminal justice policies. It is important to determine the relative influence of these factors in contributing to an incarcerated population of more than a million Americans, and to develop programs and policies which can offer constructive solutions.

This report suggests that we need to engage in a public dialogue regarding the factors which have led the United States to be a world leader in incarceration. This dialogue needs to be very inclusive, ranging from criminal justice officials to prisoners, from members of Congress to neighborhood organizations. If we value the human potential of all members of our society, and if we truly wish to reduce crime, we will need to consider seriously whether we can afford to continue our current ineffective social and criminal justice policies.

## METHODOLOGY

Population Data

For data on total national populations, we have used the following sources:

UNITED STATES - Census Bureau estimate for July 1, 1989.

SOVIET UNION - World Almanac estimate, 1989

SOUTH AFRICA - Population figures for South Africa are inconsistent, particulary regarding the non-white population. For both South Africa and the homelands, we have relied on estimates made by the Institute of Race Relations, generally considered to be among the most objective organizations in South Africa. These figures are lower than some other estimates. At the high end, for example, is a CIA estimate of a total population of 39,549,941. Using this figure, the overall rate of incarceration in South Africa would be 303 per 100,000, compared to the estimate of 333 per 100,000 we have calculated in the report. The Black male rate would be 669 per 100,000, compared to the report's figure of 729.

Overall population figures and prison population data in the report are not always provided for the same year. For example, the South African population figure is as of June 1988, while the prison data are from June 1989. Since the prison population has not fluctuated dramatically, there is no reason to believe that this inconsistency introduces any substantial margin of error into the overall calculations.

Prisoner Data

Statistics on the number of prisoners have been obtained from the following sources:

UNITED STATES - The total number of inmates in the nation's prisons as of December 31, 1989, and jails as of June 30, 1989, excluding 2,250 juveniles being held in jails. A small percentage of prisoners under the jurisdiction of state prison systems are held in local jails. Estimates of this number vary in publications of the Bureau of Justice Statistics, due to variations in reporting methods. For this report, we have subtracted 39,115 inmates from the total combined prison and jail population (3.6 percent of all inmates) to account for this overlap. (See "Jail Inmates 1989," Bureau of Justice Statistics, June 1990.) Since this is the higher of the two figures reported for this category, this provides a conservative estimate of the overall number of incarcerated persons.

To determine the number of incarcerated Black males, we have used the figure of 43 percent of the jail population ("Jail Inmates 1989"), as well as the most recent estimate of 43 percent of the prison population (Correctional Populations in the United States, 1987, Bureau of Justice Statistics, December 1989). From this total also, we have deducted the number of juveniles as well as the 3.6 percent overlap between jail and prison inmates.

SOVIET UNION - The most recent published figure of 769,000 prisoners is taken from Newsweek, (Fred Coleman, "Reforming a University of Soviet Crime," September 10, 1990). This figure is consistent with reports documenting the decreasing number of inmates in recent years. (See, for example, the estimate of 800,000 prisoners in 1989 in Peterson.) It is somewhat unclear whether these figures include incarcerated juveniles, and whether there are political prisoners who are still incarcerated under the jurisdiction of a separate agency.

SOUTH AFRICA - The number of prisoners, along with a breakdown by race and sex, is taken from the annual report of the South African Prisons Service, with figures as of June 1989. The South African categories of Blacks and Coloreds are combined as Black for our analysis. To estimate the additional number of prisoners in the four homelands, we begin with a report of the Institute of Race Relations documenting that there were 2,677 prisoners in Bophuthatswana in 1987. Since we were not able to obtain any other incarceration statistics for the homelands, we have used the incarceration rate for Bophuthatswana to project an estimated prison population for the other three homelands. Although there are a very small number of whites living in the homelands, we have assumed for these purposes that all prisoners, as well as the overall population in the homelands, are Black. We have also assumed that the percentage of the Black prison population in South Africa that is male -- 96.1 percent -- is the same for the homelands. Due to the need to estimate prison populations in the homelands, we have also calculated the Black male rate of incarceration excluding the homelands. That figure, 851 per 100,000, is higher than the figure used in the report, but does not change the overall rankings or analysis.

## SOURCES

Bureau of Justice Statistics, U.S. Department of Justice, Washington, D.C.
--- Correctional Populations in the United States, 1987, December 1989.
--- "Imprisonment in Four Countries," February 1987.
--- "Jail Inmates 1989," June 1990.
--- "Justice Expenditure and Employment, 1988," July 1990.
--- "Prisoners in 1989," May 1990.

Blumstein, Alfred, "Prison Populations: A System Out of Control?," in Crime and Justice: A Review of Research, Vol. 10, edited by Michael Tonry and Norval Morris, Chicago, University of Chicago Press, 1988.

Bureau of the Census, U.S. Department of Commerce, Projections of the Population of the United States, by Age, Sex, and Race: 1988 to 2080, January 1989, Washington, D.C.

Coleman, Fred, "Reforming a University of Soviet Crime," Newsweek, September 10, 1990.

Currie, Elliott, Confronting Crime, Random House, 1985, New York.

Doleschal, Eugene and Anne Newton, "International Rates of Imprisonment," National Council on Crime and Delinquency Information Center, 1979.

Glazer, Saran, "Crime and Punishment: A Tenuous Link," Editorial Research Reports, October 20, 1989.

Mauer, Marc, "Young Black Men and the Criminal Justice System: A Growing National Problem," The Sentencing Project, February 1990, Washington, D.C.

Penal Reform International, Newsletter, No. 1, February 1990, and No. 2, April 1990, London.

Petersilia, Joan and Susan Turner, "Reducing Prison Admissions: The Potential of Intermediate Sanctions," State Government, March/April 1989.

Peterson, D.J., "The Zone, 1989: The Soviet Penal System under Perestroika," in Report on the USSR, Vol. 1, No. 37, 1989, Washington, D.C.

Pranis, Kay, "Options in Criminal Corrections: A Study of Costs and Opportunities in Delaware," Minnesota Citizens Council on Crime and Justice, 1989.

South African Institute of Race Relations, Race Relations Survey 1988/89, 1989, Johannesburg.

South African Prisons Service, Report, 1 July 1988 to 30 June 1989, 1990, Pretoria.

United Nations, Compendium of Social Statistics and Indicators 1988, forthcoming, 1991, New York.

Wicker, Tom, "An Ungrand Total," The New York Times, October 13, 1989.

World Almanac 1990, Pharos Books, 1989, New York.